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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/649,605	08/28/2003	Fima Dreff	WH 12 066US	5278
25006	7590	04/19/2006	EXAMINER	
			TO, TOAN C	
			ART UNIT	PAPER NUMBER
			3616	

DATE MAILED: 04/19/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<i>Office Action Summary</i>	Application No. 10/649,605	Applicant(s) DREFF, FIMA
Examiner	Art Unit	
Toan C. To	3616	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

1)  Responsive to communication(s) filed on 09 January 2006.

2a)  This action is **FINAL**.                            2b)  This action is non-final.

3)  Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

4)  Claim(s) 1-5 and 7-20 is/are pending in the application.  
4a) Of the above claim(s) 10-12, 18 and 20 is/are withdrawn from consideration.  
5)  Claim(s) \_\_\_\_\_ is/are allowed.  
6)  Claim(s) 1-5, 7-9, 13-17 and 19 is/are rejected.  
7)  Claim(s) \_\_\_\_\_ is/are objected to.  
8)  Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

9)  The specification is objected to by the Examiner.

10)  The drawing(s) filed on 28 August 2003 is/are: a)  accepted or b)  objected to by the Examiner.

**Priority under 35 U.S.C. § 119**

12)  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a)  All    b)  Some \* c)  None of:  
1.  Certified copies of the priority documents have been received.  
2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3.  Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

1)  Notice of References Cited (PTO-892)  
2)  Notice of Draftsperson's Patent Drawing Review (PTO-948)  
3)  Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date .  
4)  Interview Summary (PTO-413)  
Paper No(s)/Mail Date. .  
5)  Notice of Informal Patent Application (PTO-152)  
6)  Other: .

## DETAILED ACTION

### *Election/Restrictions*

1. Applicant's election of Species 1, sub-species 3 (figure 9, and 6b), claims 1-5, 7-9, 13-17 and 19 in the reply filed on January 9, 2006 is acknowledged. Because applicant did not distinctly and specifically point out the supposed errors in the restriction requirement, the election has been treated as an election without traverse (MPEP § 818.03(a)).
2. Claims 10-12, 18, and 20 are withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected species, there being no allowable generic or linking claim. Election was made **without** traverse in the reply filed on January 9, 2006.

### *Drawings*

3. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the blow off valve as recited in claim 2, and a displaceable member as recited in claim 9 must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet,

and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

***Claim Objections***

4. Claim 7 is objected to because of the following informalities: "a long stroke hydromount type arrangement" should be -- a long stroke hydromount arrangement--. Appropriate correction is required.

***Claim Rejections - 35 USC § 112***

5. Claims 1, 5 and 9 rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 1 recites the limitation "the specific mode" in line 7. There is insufficient antecedent basis for this limitation in the claim.

Claim 1 is already recited the limitation "a limited frequency band", therefore, the limitation "a limited frequency band" in claim 5 should be amended to --said limited frequency band--.

Recitation “displaceable member” in claim 9 renders the claim indefinite for being unclear, since there are several structural members in the suspension, and each of them can be displaceable, therefore it is not known what structural member of the suspension corresponds to the recitation “displaceable member”; and it is also not known a recitation “100mm” is a movement of “displaceable member” relative to what structural member of the suspension.

***Claim Rejections - 35 USC § 102***

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

7. Claims 1-5, 7-9, 13-17 and 19 rejected under 35 U.S.C. 102(b) as being anticipated by Takehara et al (U.S. 5,016,911).

Takehara discloses a vehicle wheel suspension arrangement comprising a first long stroke vibration damping system (18) and a second long stroke vibration damping system (12) where each long stroke system (12, 18) is tuned to operate at different frequencies; said first long stroke vibration damping system (18) is tuned to attenuate low frequencies associated with a ride mode; said second long stroke vibration damping system (18) is tuned to attenuate higher frequencies associated with a wheel hop (16) and tramp mode and wherein each long stroke vibration damping system (12, 18) is

specifically designed to operate over a limited frequency band (see column 7) associated with a specific mode.

As to claim 2, Takehara discloses a vehicle wheel suspension arrangement; wherein said first long stroke vibration damping system (18) includes a blow off valve (54) limiting the attenuation characteristics to a frequency less than 5 hertz (see column 7, line 30).

As to claim 3, Takehara discloses a vehicle wheel suspension arrangement; wherein said first and second long stroke vibration damping systems (12) are placed in parallel.

As to claim 4, Takehara discloses a vehicle wheel suspension arrangement; wherein said second long stroke vibration damping system (12) is designed to attenuate frequencies in the range of 10 to 25 hertz (see column 7, line 2).

As to claim 5, Takehara discloses a vehicle wheel suspension arrangement; wherein each long stroke vibration damping system is designed to be effective in said limited frequency band and said frequency bands (limited frequency bands correspond with high frequency and low frequency, see column 7), are separate and distinct.

As to claims 7-9, Takehara discloses a vehicle wheel suspension arrangement; wherein the second long stroke vibration damping system (12) is a long stroke hydromount arrangement; wherein said hydromount arrangement includes an elongated piston cylinder closed at one end by a deformable diaphragm (90), a piston (8) movable within said cylinder (12) and defining within said cylinder a variable volume working chamber (an upper chamber of cylinder 12) between said piston (8) and said diaphragm

(90), an inertia track (82) connecting said working chamber to a collection chamber (10), and a working hydraulic fluid which is displaced through said inertia track (92) with movement of said piston (8). As to claim 9, as best understood by the examiner, Takehara discloses a vehicle wheel suspension arrangement; wherein said second long stroke vibration damping system (12) accommodates movement of a displaceable member (16) thereof.

As to claims 13-15, Takehara discloses a vehicle wheel suspension arrangement wherein said limited frequency band (low frequency) associated with ride mode is separated from said frequency band (high frequency) associated with wheel hop and tramp mode by an intermediate frequency band (intermediate frequency, see column 7, lines 21-22); wherein said first and second vibration damping systems have limited influence on vibrations of a frequency within said intermediate frequency band and said suspension arrangement has improved performance with respect to road noise; wherein said first and second systems (18, 12) cooperate to reduce high frequency damping associated with road noise.

As to claim 16, Takehara discloses in a vehicle wheel suspension arrangement, a vibration damping system comprising a first vibration damping transmission path (18) for attenuating vibrations of a frequency associated with a ride mode and a second vibration damping transmission path (12) for attenuating vibrations of a frequency associated with a wheel hop (16) and tramp mode; and wherein each vibration damping transmission path (18, 12) is designed to be effective in attenuating frequencies (see

column 7) and accommodating displacements of the associated mode; wherein said vibration transmission path (18, 12) functions in a parallel manner.

As to claim 16, Takehara discloses a hydraulic tuned damper comprising an elongate piston cylinder (12) closed at one end by a deformable diaphragm (90), a piston (8) movable within said cylinder (12) and defining between said piston (8) and said deformable diaphragm (90), a variable volume working chamber (upper chamber of the cylinder 12), an inertia track (92) connecting said working chamber with a collection chamber (10), and a working hydraulic fluid which is displaced through said inertia track (92) between said working chamber and said collection chamber (10) with movement of said piston (8).

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Toan C. To whose telephone number is (571) 272-6677. The examiner can normally be reached on Mon-Fri (8:00-5:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Paul Dickson can be reached on (571) 272-6669. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

TTo  
April 13, 2006

*P. Dickson* 4/17/06  
PAUL N. DICKSON  
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